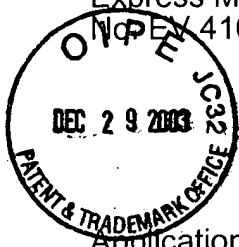


12-30-03

Express Mail Label
No. 416449053 US

FSUM 10442.19
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert Holton
Serial No.: 10/680,649
Filed: October 7, 2003
Confirmation No.: To Be Assigned
For: TAXANE FORUMULATIONS

Art Unit: To Be Assigned

December 29, 2003

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

INFORMATION DISCLOSURE STATEMENT

* In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, applicant submits the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein. In accordance with the Pre-OG notice of July 11, 2003 partially waiving the requirements of 37 C.F.R. 1.98(a)(2)(i), copies of the U.S. patent documents are not supplied. Copies of references 35-49 and 51-59 have not been provided in accordance with 37 C.F.R. § 1.98(d) because they are of record in prior application Serial No. 09/776,426 (now U. S. Patent No. 6,638,973 B2) relied upon for an earlier filing date under 35 U.S.C. § 120. Copies of references 33, 34 and 50 are provided.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward J. Hejlek", written over a horizontal line.

Edward J. Hejlek, Reg. No. 31,525
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

EJH/dfw/dep
*Attachment

PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Express Mail Label No. EV 416449053 US				Complete if Known	
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Sheet	1	of	5	Attorney Docket No.	FSUM 10442.19

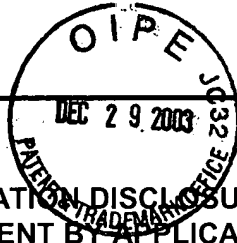
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1.	4,960,790		Stella et al.	10-02-1990
	2.	5,175,315		Holton	12-29-1992
	3.	5,227,400		Holton et al.	07-13-1993
	4.	5,243,045		Holton et al.	09-07-1993
	5.	5,250,683		Holton et al.	10-05-1993
	6.	5,283,253		Holton et al.	02-01-1994
	7.	5,350,866		Holton et al.	09-27-1994
	8.	5,407,683		Shively	04-18-1995
	9.	5,430,160		Holton	07-04-1995
	10.	5,438,072	A	Bobee et al.	8-01-1995
	11.	5,439,686		Desai et al.	08-08-1995
	12.	5,478,860		Wheeler et al.	12-26-1995
	13.	5,527,537		Dietl	06-18-1996
	14.	5,616,330		Kaufman et al.	04-01-1997
	15.	5,681,846		Trissel	10-28-1997
	16.	5,714,513		Holton et al.	02-03-1998

Examiner Signature		Date Considered	
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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				Group Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	2	of	5	Attorney Docket No.	FSUM 10442.19

	17.	5,721,268		Holton et al.	02-24-1998
	18.	5,877,205		Andersson	03-02-1999
	19.	5,922,754		Burchett et al.	07-13-1999
	20.	5,925,669		Katz et al.	07-20-1999
	21.	5,929,030		Hamied et al.	07-27-1999
	22.	5,965,603		Johnson et al.	10-12-1999
	23.	5,972,992		Carver et al.	10-26-1999
	24.	5,977,164		Carver et al.	11-02-1999
	25.	6,140,359		Carver et al.	10-31-2000
	26.	6,359,154	B2	Holton	03-19-2002
	27.	6,596,737	B2	Holton et al.	07-22-2003
	28.	6,610,860	B2	Holton	08-26-2003
	29.	6,638,973	B2	Holton	10-28-2003
	30.	6,649,632	B2	Holton	11-18-2003
	31.	6,660,866	B2	Holton	12-09-2003
	32.	6,664,275	B2	Holton	12/16/03
	33.	2001/0029264	A1	McChesney-Harris	10-11-2001
	34.	2002/0058616	A1	Broder et al.	05-16-2002

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Sheet	3	of	5	Attorney Docket No.	FSUM 10442.19

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office	Number ⁴	Kind Code ² (if known)			
	35.	WO	94/13655	A1	The Upjohn Company	06-23-1994	
	36.	WO	95/11020	A1	Enzon, Inc.	04-27-1995	
	37.	WO	96/13495	A1	The Research Foundation of State University of New York	05-09-1996	
	38.	WO	96/38138	A1	Biophysica Foundation	12-05-1996	
	39.	WO	97/09979	A1	Florida State University	03-20-1997	
	40.	WO	97/32578	A1	The Research Foundation of State University of New York	09-12-1997	
	41.	WO	97/42181	A1	Florida State University	11-13-1997	
	42.	WO	98/02426	A1	Kabushiki Kaisha Yakult Honsha	01-22-1998	
	43.	WO	99/09021	A1	Florida State University	02-25-1999	
	44.	WO	99/14209	A1	Kabushiki Kaisha Yakult Honsha	03-25-1999	
	45.	WO	99/32473	A1	Kabushiki Kaisha Yakult Honsha	07-01-1999	
	46.	WO	00/53592	A1	Asahi Kasei Kogyo Kabushiki Kaisha	09-14-2000	
	47.	WO	00/78247	A1	Baker Norton Pharmaceuticals	12-28-2000	
	48.	EP	0 534 709	A1	Florida State University	03-31-1993	

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Sheet	4	of	5	Attorney Docket No.	FSUM 10442.19

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	49.	GUENARD et al. "Effects of the Hydrophobicity of Taxoids on their Interaction with Tubulin" Bioorganic & Medicinal Chemistry, Vol. 8 (2000) pp. 145-156.	
	50.	International Search Report for analogous PCT Application No. PCT/US01/03624 dated June 12, 2001.	
	51.	KANT et al. "A Chemoselective Approach to Functionalize the C-10 Position of 10-Deacetylbaecatin III. Synthesis and Biological Properties of Novel C-10 Taxol Analogues" Tetrahedron Letters, Vol. 35, No. 31 (1994) pp. 5543-5546.	
	52.	KIRIKAE et al. "Structural Significance of the Acyl Group at the C-10 Position and the A Ring of the Taxane Core of Paclitaxel for Inducing Nitric Oxide and Tumor Necrosis Factor Production by Murine Macrophages" FEBS Letters, Vol. 478 (2000) pp. 221-226.	
	53.	LIN et al. "Synthesis of Highly Potent Second-Generation Taxoids Through Effective Kinetic Resolution Coupling of Racemic β -Lactams with Baecatin" CHIRALITY, Vol. 12 (2000) pp. 431-441.	
	54.	OJIMA et al. "Efficient Asymmetric Synthesis of β -lactams Bearing a Cyclopropane or an Epoxide Moiety and Their Application to the Synthesis of Novel Isoserines and Taxoids" Journal of Organic Chemistry, Vol. 63, No. 2 (1998) pp. 224-225.	
	55.	OJIMA et al. "Synthesis and Biological Activity of Novel 3'-Trifluoromethyl Taxoids" Bioorganic & Medicinal Chemistry Letters, Vol. 7, No. 2 (1997) pp. 133-138.	
	56.	OJIMA et al. "Synthesis and Structure-Activity Relationships of New Second-Generation Taxoids" Bioorganic & Medicinal Chemistry Letters, Vol. 9 (1999) pp. 3423-3428.	
	57.	OJIMA et al. "Synthesis and Structure-Activity Relationships of the Second-Generation Antitumor Taxoids: Exceptional Activity Against Drug-Resistant Cancer Cells" Journal of Medicinal Chemistry, Vol. 39 (1996) pp. 3889-3896.	

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